

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MILAGROS RAYRAY SURATOS,

Petitioner,

vs.

CAROLYN MYLES, et al.,

Respondents.

2:11-cv-00955-KJD-GWF

ORDER

Petitioner, Milagros Rayray Suratos, has submitted a habeas corpus petition pursuant to 28 U.S.C. § 2254. Petitioner has paid the filing fee for this action. (ECF No. 3). The petition shall now be filed and served on respondents.

A petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. *See* 28 U.S.C. §2254(b) (successive petitions). If petitioner is aware of any claim not included in his petition, he should notify the Court of that as soon as possible, perhaps by means of a motion to amend his petition to add the claim.

IT IS THEREFORE ORDERED that the Clerk shall **FILE and ELECTRONICALLY SERVE** the petition (ECF No. 1) upon the respondents.

1 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from
2 entry of this order within which to answer, or otherwise respond to, the petition. In their answer or other
3 response, respondents shall address any claims presented by petitioner in his petition as well as any
4 claims presented by petitioner in any Statement of Additional Claims. Respondents shall raise all
5 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and
6 procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed,
7 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in the
8 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have **forty-**
9 **five (45) days** from the date of service of the answer to file a reply.

10 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the Attorney
11 General of the State of Nevada a copy of every pleading, motion, or other document he submits for
12 consideration by the Court. Petitioner shall include with the original paper submitted for filing a
13 certificate stating the date that a true and correct copy of the document was mailed to the Attorney
14 General. The Court may disregard any paper that does not include a certificate of service. After
15 respondents appear in this action, petitioner shall make such service upon the particular Deputy Attorney
16 General assigned to the case.

17 DATED: June 22, 2011.



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20 UNITED STATES DISTRICT JUDGE
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